

COUNTY OF LOS ANGELES  
**SHERIFF'S DEPARTMENT**

*A Tradition of Service*

DATE: November 4, 2011  
FILE NO:

 OFFICE CORRESPONDENCE

**FROM:** JOSEPH S. HARTSHORNE, COMMANDER  
OFFICE OF THE UNDERSHERIFF

**TO:** JOSEPH B. NUNEZ, CAPTAIN  
INTERNAL AFFAIRS BUREAU

**SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS:**

Case Number: FO2288410

Incident: Use of Force

Incident Date: May 10, 2011

Unit: Inmate Reception Center

Suspect: Steve Allen Mitchell MB/33

Involved Employees: Deputy [REDACTED] # [REDACTED]  
Deputy Beau Topar, # [REDACTED]  
Sergeant [REDACTED] # [REDACTED]

EFRC Date: October 4, 2011

On October 4, 2011, the Executive Force Review Committee consisting of Commander Joseph Hartshorne, Commander Michael Rothans, and Commander Anthony La Berge met and reviewed the above case. The applicable policies that were evaluated were: MPP 3-01/025.00, Use of Force; Unreasonable Force; and 3-01/050.10, Performance to Standards.

**FINDINGS:**

The Committee determined that the force used by Deputies [REDACTED] and Topar and Sergeant [REDACTED] was reasonable, necessary, and in compliance with Department Policy. The Committee also determined that the tactics used by the deputies and the sergeant were sound and within reasonable.

# Los Angeles County Sheriff's Department

## Supervisor's Report on Use of Force

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Incident Information									
URN: 9 1 1 - 0 0 5 5 5 - 5 1 2 0 - 0 5 4					Date: 5/10/11		Time: 2005		
Location:		450 Bauchet Street			City or Station:		Los Angeles		
Bureau/Station/Facility:		Inmate Reception Center			Admin. Investigation:		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		
Type of Force:		Significant (skeletal fracture)							
Deputy Injury: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>			Suspect Injury YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>						
<input type="checkbox"/> Call		<input type="checkbox"/> Observation		<input checked="" type="checkbox"/> Detail		<input type="checkbox"/> Foot Pursuit		<input type="checkbox"/> Vehicle Pursuit	
IAB Notified: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		Person Notified: Lt. Ault		Emp: [REDACTED]		IAB Roll Out: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>			
Involved Employee									
E1	Employee #		Last Name		First Name		Middle Name		
	Sex:		Race:		Unit of Assignment:		Work Assignment (Unit #, Module, etc.):		
	<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female		W		IRC		Booking front		
	Shift:		<input checked="" type="checkbox"/> Regular Shift <input type="checkbox"/> OT Shift <input type="checkbox"/> Off Duty		Age:		Height:		Weight:
	<input type="checkbox"/> EM <input type="checkbox"/> Day <input checked="" type="checkbox"/> PM				[REDACTED]		5' 8"		210 lbs
<input type="checkbox"/> Injured <input type="checkbox"/> Treated <input type="checkbox"/> Admitted Hospital:						Coroner Case #		Directed Force <input type="checkbox"/> Significant Force <input checked="" type="checkbox"/>	
E2	Employee #		Last Name		First Name		Middle Name		
	Sex:		Race:		Unit of Assignment:		Work Assignment (Unit #, Module, etc.):		
	<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female		W		IRC		Booking front		
	Shift:		<input checked="" type="checkbox"/> Regular Shift <input type="checkbox"/> OT Shift <input type="checkbox"/> Off Duty		Age:		Height:		Weight:
	<input type="checkbox"/> EM <input type="checkbox"/> Day <input checked="" type="checkbox"/> PM				[REDACTED]		6' 3"		190 lbs
<input type="checkbox"/> Injured <input type="checkbox"/> Treated <input type="checkbox"/> Admitted Hospital:						Coroner Case #		Directed Force <input type="checkbox"/> Significant Force <input checked="" type="checkbox"/>	
E3	Employee #		Last Name		First Name		Middle Name		
	Sex:		Race:		Unit of Assignment:		Work Assignment (Unit #, Module, etc.):		
	<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female		W		IRC		1st Floor Sergeant		
	Shift:		<input checked="" type="checkbox"/> Regular Shift <input type="checkbox"/> OT Shift <input type="checkbox"/> Off Duty		Age:		Height:		Weight:
	<input type="checkbox"/> EM <input type="checkbox"/> Day <input checked="" type="checkbox"/> PM				[REDACTED]		6' 00"		205 lbs
<input checked="" type="checkbox"/> Injured <input checked="" type="checkbox"/> Treated <input type="checkbox"/> Admitted Hospital:						Coroner Case #		Directed Force <input type="checkbox"/> Significant Force <input checked="" type="checkbox"/>	
On Duty Supervisor									
Emp. #		Last Name		First Name		Middle Name		Rank	
[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]		Sgt.	
Present		Witness to Incident							
YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>							
Emp. #		Last Name		First Name		Middle Name		Rank	
[REDACTED]		Carter		John		L.		Sgt.	
Present		Witness to Incident							
YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>							
Watch Sergeant									
Emp. #		Last Name		First Name		Middle Name			
[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]			
Watch Commander									
Emp. #		Last Name		First Name		Middle Name			
[REDACTED]		Chavez		Arturo		M.			

Watch Commander (Print Name)

Patrick Kim

Watch Commander's Signature:

[REDACTED]

Emp #:

Date

Supervisor Completing Form: (Print Name)

Chuck Antuna

Emp #:

Copy Provided to Employee by:

Emp #:

Unit Commander (Print Name)

Unit Commander's Signature:

Emp #:

Date

DISCOVERY Use Only

FO# 2288410

Original: Discovery Unit

Copy: Unit Commander

SH-R-438P (Rev. 07/08)

# Supervisor's Report on Use of Force SUSPECT INFORMATION

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S 1

Suspect Information											
Last Name			Mitchell			First Name		Steve		Middle Name	Allen
AKA Last Name						First Name				Middle Name	
Sex: <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female		Race: B		Street Address:			City:		State & Zip Code:		
Work Phone:		None		Home Phone:		Age: 33		Height: 6' 1"		D.O.B.	08/01/1977
								Weight: 210 lbs		Armed? <input type="checkbox"/>	
Booking #:		2732430		Primary Charge Code:		69 PC		Secondary Charge Code:		245(C) PC	
										Criminal History	
EMT in attendance?			<input type="checkbox"/> YES <input type="checkbox"/> NO			Name:		Unit:		Phone #:	
Hospital Admission?			<input type="checkbox"/> Rec'd Treatment At:			IRC Clinic		Coroner Case #:		Mental History <input type="checkbox"/>	
By Doctor:			Min Kim			Address:			Phone #:		
Under Influence:			<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			Substance:			Mental Illness <input type="checkbox"/>		

S

Suspect Interview											
Date: 05/10/2011		Time: 2145		<input type="checkbox"/> Audiotape:		<input checked="" type="checkbox"/> Videotape:		<input type="checkbox"/> Photos of Injuries:		<input type="checkbox"/> ADMITS HEARING ANNOUNCEMENTS	

Suspect Information											
Last Name						First Name				Middle Name	
AKA Last Name						First Name				Middle Name	
Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female		Race:		Street Address:			City:		State & Zip Code:		
Work Phone:		Home Phone:		Age:		Height:		D.O.B.		Weight:	Armed? <input type="checkbox"/>
Booking #:				Primary Charge Code:				Secondary Charge Code:		Criminal History <input type="checkbox"/>	
EMT in attendance?			<input type="checkbox"/> YES <input type="checkbox"/> NO			Name:		Unit:		Phone #:	
Hospital Admission?			<input type="checkbox"/> Rec'd Treatment At:					Coroner Case #:		Mental History <input type="checkbox"/>	
By Doctor:						Address:			Phone #:		
Under Influence:			<input type="checkbox"/> YES <input type="checkbox"/> NO			Substance:			Mental Illness: <input type="checkbox"/>		

Suspect Interview											
Date:		Time:		<input type="checkbox"/> Audiotape:		<input type="checkbox"/> Videotape:		<input type="checkbox"/> Photos of Injuries:		<input type="checkbox"/> ADMITS HEARING ANNOUNCEMENTS	

S

Suspect Information											
Last Name						First Name				Middle Name	
AKA Last Name						First Name				Middle Name	
Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female		Race:		Street Address:			City:		State & Zip Code:		
Work Phone:		Home Phone:		Age:		Height:		D.O.B.		Weight:	Armed? <input type="checkbox"/>
Booking #:				Primary Charge Code:				Secondary Charge Code:		Criminal History <input type="checkbox"/>	
EMT in attendance?			<input type="checkbox"/> YES <input type="checkbox"/> NO			Name:		Unit:		Phone #:	
Hospital Admission?			<input type="checkbox"/> Rec'd Treatment At:					Coroner Case #:		Mental History <input type="checkbox"/>	
By Doctor:						Address:			Phone #:		
Under Influence:			<input type="checkbox"/> YES <input type="checkbox"/> NO			Substance:			Mental Illness <input type="checkbox"/>		

Suspect Interview											
Date:		Time:		<input type="checkbox"/> Audiotape:		<input type="checkbox"/> Videotape:		<input type="checkbox"/> Photos of Injuries:		<input type="checkbox"/> ADMITS HEARING ANNOUNCEMENTS	

☐ Additional Suspects Involved

**Supervisor's Report on Use of Force**  
**EMPLOYEE / NON-EMPLOYEE INFORMATION**  
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**Employee Witnesses**

Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name

**Non-Employee Witnesses**

Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.

☐ Additional Witness

9 4 1 - 0 0 5 5 5 - 5 1 2 0 - 0 3 4

## Method

(AW) Arwen	(FH) Firearm (Handgun)	(PO) Personal Weapon (Other)
(BC) Baton: (Control)	(FR) Firearm (Rifle)	(RS) Resistance
(BI) Baton: (Impact)	(FS) Firearm (Shotgun)	(CN) Restraint Device (Capture Net)
(BF) Bodily Fluids	(FO) Firearm (Other)	(RH) Restraint Device (Handcuffs)
(CN) Canine	(FB) Flashbang	(HB) Restraint Device: Hobble (Legs Only)
(CR) Carotid Restraint	(FL) Flashlight	(TP) Restraint Device: Hobble (TARP)
(CH) Choke Hold	(OE) Other Weapon: Edged	(RE) Restraint Device: REACT Belt
(CT) Control Holds: (Control Techniques)	(OV) Other Weapon: Vehicle	(SP) Sap
(TT) Control Holds: (Team Takedown)	(OB) Other Weapon: Blunt Object	(SH) Shield
(TD) Control Holds: (Takedown)	(OO) Other Weapon: Other	(SG) 37mm Stinger
(CE) Chemical	(PK) Personal Weapon: Feet/Leg: (Kick)	(SB) Sting Ball
(OC) Chemical Agents (OC Spray)	(PS) Personal Weapon: Feet/Leg: (Sweep)	(ST) Stun Bag
(TG) Chemical Agents (Tear Gas)	(PH) Personal Weapon (Hand/Arm)	(TR) Taser
(EX) Explosives	(PP) Personal Weapon (Push)	(UC) Uncooperative

## Type of Injury

(AB) Abrasion	(DB) Dog Bite	(PA) Paralysis
(BR) Bruise	(FR) Fractures	(PW) Puncture Wound
(BU) Burn	(GS) Gunshot	(SD) Soft Tissue Damage
(CP) Complaint of Pain	(HB) Human Bite	(ST) Sprain/Twists
(CO) Concussion	(LC) Lacerations	(UN) Unconscious
(DH) Death	(ND) Nerve Damage	(RM) Refused Med Treatment
(DI) Dislocation	(OD) Organ Damage	(NN) NONE

**Body Part Injured**

(AD) Abdomen	(FA) Face	(HI) Hip
(AK) Ankle	(FE) Feet	(IN) Internal
(AR) Arm	(FI) Fingers	(KN) Knees
(BK) Back	(GE) Genitals	(LE) Leg
(BT) Buttocks	(GR) Groin	(NK) Neck
(CH) Chest	(HD) Hands	(NO) Nose
(EL) Elbow	(HE) Head	(SH) Shoulder
		(WR) Wrist

[illegible]

## **INVESTIGATIVE SUMMARY**

# **COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT**

## **INVESTIGATIVE SUMMARY**

### **SIGNIFICANT USE OF FORCE**

- **TAKEDOWN**
- **OC SPRAY**
- **PERSONAL WEAPONS**

**UNIT: INMATE RECEPTION CENTER**

**DATE / TIME OF INCIDENT: MAY 10, 2011 (TUESDAY) / 2005 HOURS**

**LOCATION: 450 BAUCHET STREET, LOS ANGELES**

**URN: 911-00555-5120-054**

**IAB #: FO2288410**

### **SYNOPSIS**

On May 11, 2011, at 0000 hours, the On-Call Internal Affairs Bureau Lieutenant, Alicia Ault, was notified about a use of force which occurred at the Inmate Reception Center. On May 12, 2011, at 1850 hours Lieutenant Ault received an update that the suspect had sustained a fractured tibia as a result of the use of force.

On May 11, 2011 at 2005 hours, Deputy [REDACTED] and Deputy Beau Topar were conducting a strip search of approximately sixty inmates in the search tank of the booking front area at the Inmate Reception Center. Toward the conclusion of the process, Deputy [REDACTED] addressed Suspect Mitchell for failing to comply with instructions.

Deputy [REDACTED] began to escort Suspect Mitchell to an isolation cell, when a physical altercation between the two ensued. Sergeant [REDACTED] and Deputy Topar then assisted Deputy [REDACTED] with controlling Suspect Mitchell. Suspect Mitchell's head hit the floor during this time. As the altercation continued, Suspect Mitchell's lower leg was struck several times with a flashlight and pepper spray was applied to his face. Suspect Mitchell was handcuffed without further incident.

Inmate Mitchell was immediately transported to the IRC clinic where he was treated for a small laceration to the back of his head and his left leg. He was subsequently transported to LCMC where it was confirmed that Inmate Mitchell sustained a hairline fracture to the tibia per Dr. Vijverbeg.

Sergeant [REDACTED] injured his wrist in this incident and was treated at U.S. Healthworks.

#### INVOLVED PERSONNEL AND EMPLOYEE WORK HISTORY

**Deputy [REDACTED] # [REDACTED]**

Date of employment	11-06-2006
Date assigned to patrol	[REDACTED]
Completed patrol training	[REDACTED]
Prior shooting incidents	[REDACTED]
Prior founded force incidents	[REDACTED]

**Deputy Beau Topar, # [REDACTED]**

Date of employment	06-28-2006
Date assigned to patrol	[REDACTED]
Completed patrol training	[REDACTED]
Prior shooting incidents	[REDACTED]
Prior founded force incidents	[REDACTED]

**Sergeant [REDACTED] # [REDACTED]**

Date of employment	01-07-1991
Date assigned to patrol	[REDACTED]
Completed patrol training	[REDACTED]
Prior shooting incidents	[REDACTED]
Prior founded force incidents	[REDACTED]



## **SUSPECT INFORMATION**

### **Steve Allen Mitchell**

Male, Black, 33 years old, DOB: 08-01-1977, Booking #2732430, 6' 1", 210 lbs

CII # [REDACTED] MAIN # [REDACTED], FBI # [REDACTED]

Suspect Mitchell was [REDACTED]

[REDACTED] Refer to Suspect Mitchell's Consolidated Criminal History Report in the Miscellaneous Documents section for detailed information.

## **WITNESSES**

Inmate [REDACTED] Male, Hispanic, 18 years old, DOB [REDACTED]  
Booking # [REDACTED]  
[REDACTED]

Inmate [REDACTED] Male, Black, 28 years old, DOB [REDACTED]  
Booking # [REDACTED]  
[REDACTED]

Inmate [REDACTED] Male, Black, 50 years old, DOB [REDACTED]  
Booking # [REDACTED]  
[REDACTED]

## **INJURIES**

Suspect Mitchell sustained a fractured tibia and an two open wounds to the muscle and skin as a result of the use of force. Refer to Suspect Mitchell's medical assessment [EXHIBIT A] for more detailed information.

Sergeant MacKenzie injured his wrist in this incident.

## **PHYSICAL EVIDENCE**

There was no physical evidence.

### **INVESTIGATOR'S OBSERVATIONS**

The scene of the incident is located at the Booking Front area of the Inmate Reception Center. The search tank is a room, approximately 60' X 15' partially enclosed on three sides with safety glass.

### **WEAPONS USED BY DEPUTY PERSONNEL**

Personal weapons  
OC spray  
Flashlight

### **WEAPONS USED BY SUSPECT**

Personal weapons

### **PROPERTY DAMAGE**

None

### **CRIMINAL CHARGES FILED**

No charges were filed by the District Attorney's Office against Suspect Mitchell.

## **INVOLVED DEPUTY AND WITNESS STATEMENTS**

The following is intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the digitally audio recorded interviews and verbatim transcriptions.

**Deputy [REDACTED]**

Deputy [REDACTED] told IAB investigators Suspect Mitchell was not complying with his instructions during the search process and at one point said, "What the fuck, B?" He then instructed Suspect Mitchell to turn around and face the wall. He had Suspect Mitchell's left hand in a firm grip and began escorting him to an isolation cell when Suspect Mitchell suddenly "jumped off the wall" with his right hand and raised his fist yelling, "You're a fucking punk bitch!"

Deputy [REDACTED] said he believed Suspect Mitchell was going to attack him, at which time he punched Suspect Mitchell in the face once. After Suspect Mitchell grabbed him in a bear hug from the front, Sergeant [REDACTED] and Deputy Topar assisted him with taking Suspect Mitchell to the ground, where he began to kick and punch at them. When Suspect Mitchell ignored his verbal commands to stop fighting, Deputy [REDACTED] said he punched him in the face three to four times. Suspect Mitchell continued his assaultive behavior, at which time Deputy [REDACTED] said he sprayed Suspect Mitchell in the face with OC spray. Deputy [REDACTED] said it was during this time that he thinks Deputy Topar recovered his flashlight that fell out of his pocket. However, he did not know Deputy Topar struck Suspect Mitchell with it until the incident was over.

Deputy [REDACTED] submitted a report of the incident [EXHIBIT B].

**Deputy Beau Topar**

Deputy Topar told IAB investigators he was approximately ten feet away when he saw Deputy [REDACTED] escort Suspect Mitchell toward the uncuff cell. He heard Suspect Mitchell say, "Fuck", and saw him turn toward Deputy [REDACTED] and swing at him. After Deputy [REDACTED] punched Suspect Mitchell once, Suspect Mitchell grabbed him in a bear hug around his mid section. He and Deputy [REDACTED] took Suspect Mitchell to the ground where they had difficulty gaining his compliance. Deputy Topar said he applied knee strikes to Suspect Mitchell's ribs to try to gain control of his hands so they could handcuff him. Suspect Mitchell rolled around and kicked at him, at which time he grabbed a flashlight and struck him three or four times in the lowers part of his legs, which caused him

to stop kicking. Deputy Topar said as he focused back on gaining control of Suspect Mitchell's arm, he smelled OC spray. They got Suspect Mitchell on his stomach, handcuffed and escorted him to the isolation cell without further incident.

Deputy Topar said Deputy [REDACTED] did not do anything, nor did he say anything to provoke Suspect Mitchell into being uncooperative or assaultive. He submitted a report of the incident [EXHIBIT B].

**Sergeant [REDACTED]**

Sergeant [REDACTED] told IAB investigators he was monitoring the search process from the doorway of the search cell when he saw Deputy [REDACTED] escorting Suspect Mitchell out to the uncuff cell. He didn't see or hear anything between them at that time. He walked across the search cell to the opposite doorway, at which time he saw Suspect Mitchell spin around and grab Deputy [REDACTED] in a bear hug. He and Deputy [REDACTED] simultaneously grabbed Suspect Mitchell and took him the ground.

Sergeant [REDACTED] said he was trying to gain control of Suspect Mitchell's arm when Suspect Mitchell pulled on his arm and injured him by causing his wrist to pop out of joint. He couldn't move his arm so he disengaged from the fight for a moment.

Sergeant [REDACTED] said Suspect Mitchell failed to comply with their repeated verbal commands to stop fighting and give them his hands. Suspect Mitchell was flailing around. Deputies [REDACTED] and Topar turned Suspect Mitchell onto his stomach, handcuffed him, stood him up and escorted him out without further incident. He estimated the entire incident lasted approximately thirty seconds. He did not see either Deputy [REDACTED] or Deputy Topar hit Suspect Mitchell in the face.

Sergeant [REDACTED] submitted a report of the incident [EXHIBIT B].

## WITNESS INTERVIEW

The following is intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the video recorded interviews [EXHIBIT C].

Inmate [REDACTED]

Witness [REDACTED] was interviewed on video by IRC Sergeant John Carter. He said he was aware of the altercation, but did not see anything because he was complying with the deputies' instructions for all inmates to keep their heads down, facing the floor.

Inmate [REDACTED]

Witness [REDACTED] was interviewed on video by Sergeant Carter. He said Suspect Mitchell made a gesture toward deputies, who then pulled out of the line. Suspect Mitchell grabbed a deputy, at which time the deputies "put him on the floor, belly first." Witness [REDACTED] said he did not hear any name calling between the deputies and Suspect Mitchell.

Inmate [REDACTED]

Witness [REDACTED] was interviewed on video by Sergeant Carter. He said when the deputy gave instructions to pick up their property and put them between their legs, Suspect Mitchell said to the deputy, "Fuck you! Don't tell me what to do!" When the deputy instructed Suspect Mitchell to face the wall, he didn't comply and then failed to comply with the deputy's instruction to put his hands behind his back. The deputy put Suspect Mitchell's hands behind his back, at which time Suspect Mitchell "jumped up" against a wall, grabbed the deputy in a bear hug and swung him around to the ground. Another deputy arrived just before the first deputy fell to the floor with Suspect Mitchell. Witness [REDACTED] said he saw one deputy grab Suspect Mitchell's legs, while another deputy hit Suspect Mitchell's legs with a flashlight approximately three times, while another deputy was trying to get Suspect Mitchell's hands behind his back.

Witness [REDACTED] said the deputies gave Suspect Mitchell failed to comply with the deputies' verbal commands to place his hands behind his back. Suspect Mitchell kept tussling and trying to get up. A deputy sprayed Suspect Mitchell with pepper spray. Witness [REDACTED] said he did not hear any name calling between the deputies and Suspect Mitchell.

## **SUSPECT INTERVIEW**

**The following is intended only as a synopsis of the interview. Additional information and precise wording may be obtained by reviewing the video recorded interviews [EXHIBIT C].**

### **Steve Mitchell**

Suspect Mitchell was interviewed on video by IRC Sergeant John Carter and Lieutenant Art Chavez immediately after the incident. He told them when heard the deputy's instructions for all inmates to grab their shoes, he grabbed his shoes and looked around to see what the other inmates were doing. Another deputy approached him and suddenly kicked him in his shin. He reacted by saying, "What's up, fuck!?" because he didn't know why he was singled out. The deputy grabbed him by the back of the head in an attempt to force him to his knees, and twisted his arm back. When the deputy instructed him to stand up, he questioned the deputy by asking how he was supposed to stand up when his arm is being twisted. During this time, another deputy twisted his other arm and said, "Stand up mother fucker!"

Suspect Mitchell said he stood up, spun around and grabbed the first deputy in a bear hug over his arms. Other deputies "jumped him", causing the back of his head to impact the doorway. Suspect Mitchell said he was kicked in the chin, jaw, face, and stomach. He struck approximately 20-50 times with a flashlight in his shins and spray with pepper spray. He also said he was punched in the stomach once, and one deputy tried to kick him in the "nuts." He was taken to a cell where the deputies "slammed" him to the floor, kicked and punched him, and called him racial slurs as they handcuffed him. Suspect Mitchell denied kicking any deputy personnel and said his knees and legs were "up" as a deputy repeatedly hit his shins. It was his belief the deputies were going to place a hobble restraint around his legs.

Suspect Mitchell complained of pain to the back of his head and shins. He approximated there were five to six deputies involved in the incident.

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**SUPERVISOR'S REPORT ON USE OF FORCE**

**INVESTIGATIVE SUMMARY**

**TRANSCRIPTS OF INTERVIEWS**

Deputy [REDACTED]

Deputy Beau Topar

Sergeant [REDACTED]

Witness [REDACTED]

Witness [REDACTED]

Suspect Steve Mitchell

**EXHIBITS**

- A Medical assessment of Suspect Steve Mitchell
- B Complaint and supplemental reports URN #911-00555-5120-054
- C DVD containing video interviews of Suspect Mitchell and witnesses

**MISCELLANEOUS DOCUMENTS**

Copy of in-service  
Consolidated Criminal History Report on Suspect Steve Mitchell  
Admonition forms